

REMARKS

Applicants have provided herein an amendment to incorporate the priority claim of the application into the specification. The priority claim was not listed at the first page in the specification of the Application as filed. The present amendment does not change the priority claim of the Application as filed, and which has been duly noted in the filing receipt mailed March 10, 2004. This amendment therefore does not constitute new matter.

Claims 1-26 are currently pending and have been subject to restriction. The Examiner asserts that the claims are drawn to four patentably distinct inventions as follows:.

Group I. Claims 1-16, drawn to a method for enhancing cystic fibrosis transmembrane conductance regulator (CFTR) activity in an epithelial cell expressing a mutant CFTR, classified in class 435, subclass 325;

Group II: Claims 17-23, relating to a CFTR polypeptide capable of binding a molecular chaperone and enhancing CFTR channel activity when present in a cell expressing a mutant CFTR;

Group III: Claim 24 (fully) and claim 26 (in part) relating to a method of enhancing mutant channel activity in a cell comprising contacting said cell with an inhibitor of molecular chaperone activity; and

Group IV: Claim 25 (fully) and claim 26 (in part) relating to a method of enhancing mutant channel activity in a cell comprising contacting said cell with an inhibitor of molecular chaperone expression.

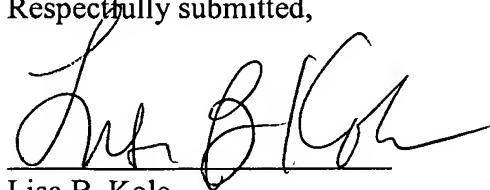
Applicant elects to prosecute Group II, Claims 17-23, relating to a CFTR polypeptide capable of binding a molecular chaperone and enhancing CFTR channel activity when present in a cell expressing a mutant CFTR. This election is made without prejudice to the prosecution of non-elected groups in other patent applications.

Examiner alleges that invention II is related to inventions I, III, and IV as product and process of use, respectively. Applicants note that Group II is drawn to a series of product claims. If these product claims are found to be allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claims can be rejoined as a matter of right if presented before final rejection or allowance.

Entry of the foregoing remarks into the file of the above-identified application is respectfully requested. An early allowance is earnestly sought. If any additional fee is due, or if any overpayment has been made, in connection with the filing of this response, the Commissioner is authorized to charge any such fee or credit any overpayment, to our Deposit Account No. 02-4377. A duplicate copy of this paper is enclosed.

Respectfully submitted,

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